

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

RICHARD WILCOXON,)
)
)
Plaintiff,)
) C.A. No. 05-524 (SLR)
)
)
v.) JURY TRIAL DEMANDED
)
)
RED CLAY CONSOLIDATED)
SCHOOL DISTRICT BOARD OF)
EDUCATION, and JANAY FREEBERRY,)
)
)
Defendants.)

DEFENDANTS' APPLICATION FOR ORAL ARGUMENT

Defendants, by and through their undersigned counsel, respectfully requests oral argument on the following motions pending before the Court pursuant to D. Del. Local Rule 7.1.4:

1. Defendants' Motion for Summary Judgment (D.I. 48)
2. Plaintiffs' Motion for Partial Summary Judgment (D.I. 49).

In support of this application Defendants represent that oral argument is appropriate because these Motions raise novel arguments with respect to: (1) an issue of first impression under Delaware law concerning the application of the conditional privilege defense to a defamation claim asserted by a Plaintiff against a victim of sexual harassment; (2) the impact of the U.S. Supreme Court's recent decision in Garcetti v. Ceballos, 126 S. Ct. 1951 (2006) on Plaintiff's First Amendment claim; and (3) unusual federal and state jurisdictional issues concerning Count IV of Plaintiff's Complaint.

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Dated: August 14, 2006

CERTIFICATE OF SERVICE

I hereby certify that on August 14, 2006, I electronically filed a true and correct copy of the foregoing Defendants' Application for Oral Argument with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record, and I further certify that a copy of such Defendants' Application for Oral Argument will be sent via First Class Mail to the following counsel of record:

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